United Nations A/52/1000

General Assembly

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Fifty-second session
Agenda item 119
Pattern of conferences

Cost-accounting system for conference services

Report by the Secretary-General

1. In resolution 52/214 D of 22 December 1997, the General Assembly requested the Secretary-General to expedite the development of the cost-accounting system for conference services in 1998 and to extend it to other areas of the Secretariat, ensuring that it reflected the experience of other duty stations; encouraged the Secretary-General, to the extent possible, to utilize in-house resources to implement the system; and requested the Secretary-General to report to the Assembly by 31 July 1998, through the Committee on Conferences and the Advisory Committee on Administrative and Budgetary Questions, on measures taken to develop further the cost-accounting system. The present report is submitted in compliance with those requests.

2. Earlier consideration of the question had resulted in the submission to the Fifth Committee, during the main part of the fifty-second session of the General Assembly, of a conference room paper reviewing some of the concepts associated with cost accounting that had been used so far in connection with conference services, namely, workload standards, unit rates, full costs, notional costs, and apportioned cost estimates. That document also referred to questions that had not been considered in detail in the past, for example, the availability of data and the desirable treatment of the cost of managerial and supervisory staff. The conclusion reached was that different costing methods could be used for different purposes, that what was to be expected from a cost-accounting system needed to be clarified before deciding to proceed with such a system, and that the objective and scope of a system must be defined before proceeding with its design.

3. When the implementation of resolution 52/214 D was discussed within the Secretariat, it became apparent that an indispensable first step was to elucidate basic conceptual issues and, on this basis, then define the various purposes that different cost-accounting methods suitable for use in the context of the United Nations would achieve. It would also be necessary to determine whether some or all of those purposes could be met by means of incremental changes to the Integrated Management Information System (IMIS) and the information systems already existing in the area of conference services, particularly the Document Records, Information and Tracking System (DRITS).

4. This review of the work to be undertaken, and the lack of experience within the Organization in the field of cost accounting in general, led to the decision to resort to external consultants to undertake a study that would cover the issues outlined in the preceding paragraphs. A request for proposals was sent out to professional associations of accountants in several countries. However, by 1 May, the closing date for the submission of proposals, no replies had been received. The request for proposals was recirculated with a new closing date of 1 June. Four proposals were then received and a team of consultants was selected. They began working on the project on 6 July. The present document reviews the progress of work to date.

98-22526 (E) 030898

5. The cost-accounting study being conducted is based on a review of the various conference services functions and the formal and informal information systems currently in place. The specific cost-accounting techniques that best fit the nature of the United Nations conference services is being considered, the theoretical strengths and weaknesses of each is being underlined, and recommendations will be provided.

6. The study aims at developing a system capable of breaking down the resources devoted to conference services in order to calculate costs of specific outputs (documents and meetings); establishing a sound basis to estimate the actual cost of services provided on a reimbursable basis; and at determining the costs or savings resulting from the addition or deletion of a certain volume of services after the conference services budget has been adopted.

7. Some conclusions have been drawn provisionally. As previously indicated, cost measurements cannot be made independently of the decision framework. Costs depend on the questions that need to be answered. Furthermore, in view of the unpredictable demand for conference services and of the fact that permanent capacity is lower than long-term demand, there is no simple, theoretically sound method of quantifying marginal costs, and in some cases, an average cost approach may be preferable.

8. Activity-based costing can offer an approach consistent with cost-accounting theory and suitable for use in the conference services area. Under such a system, overheads are linked to different parts of the production process in order to allow for a better understanding of the relevant costs. Costs of specific kinds of resources (e.g., translators' salaries) are allocated to activities based on usage (e.g., translation and précis writing) and the cost of activities is assigned to the outputs produced (e.g., documents and summary records), based on the amount of activities used by the respective outputs.

9. Such a cost-accounting system will be a valuable information tool for managerial and budgeting purposes, but it will not lead to savings in and of itself. In addition, if based on the level of data currently available, it may not bring a significant improvement over methods used in the past. The development of the system will require further resources, possibly including consultancy services, staff time, hardware acquisition and software development. In view of the prototyping approach that is being suggested and that is described below, it may be appropriate to conduct a cost-benefit analysis at the beginning of each successive iteration of the development of the system.

10. In order to move from the current level to a higher level of development, the difficulties resulting from the lack of interface between IMIS and the information systems available in the area of conference services will have to be overcome. It may be necessary to track time spent in various activities and to identify their relative levels of complexity. In general, existing systems, along with data gathered independently in certain organizational units, can be the initial focal points for building the database required to develop a cost-accounting system. In the long term, data refinements in terms of sources, types and methods of computation and validation will be necessary.

11. It will therefore be important to balance the cost of implementing an activity-based system with its potential benefits. In order to take account of these concerns, a prototype development approach will be recommended. It is an approach to systems design in which a simplified working model, or prototype, of an information system is developed. This scaled-down, experimental "first draft" is quickly and inexpensively built and provided to users for testing. Experimenting with the prototype allows users to determine what they like and do not like about the system. Based upon their reactions and feedback, the developers modify the system and again present it to the users. This iterative process of trial usage and modification continues until the users are satisfied that the system meets their needs.

12. In the case of conference services, it is foreseen that the prototype would be based on the use of off-the-shelf commercial software and a minimal personal computer hardware set. A development team which includes staff with database and costing skills and staff knowledgeable in conference services and United Nations budgeting and accounting procedures, as well as an oversight group that would advise the team and provide assistance as needed, would be required.

13. The consultants will complete their work in early August. A final report by the Secretary-General will then be issued for consideration by the Committee on Conferences at its substantive session of 1998 in September, as well as by the Advisory Committee on Administrative and Budgetary Questions and the General Assembly.

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4 August 1998

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Fifty-second session
Agenda item 61
QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-third year

Letter dated 3 August 1998 from the Chargé d'affaires a.i. of the Permanent Mission of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 3 August 1998, addressed to you by His Excellency Mr. Aytuğ Plumer, Representative of the Turkish Republic of Northern Cyprus (see annex).

I should be grateful if the text of the present letter and its annex would be circulated as a document of the General Assembly, under agenda item 61, and of the Security Council.

(Signed) Tuluy TANÇ
Ambassador
Chargé d'affaires a.i.

98-22730 (E) 040898

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Annex

Letter dated 3 August 1998 from the Representative of the Turkish Republic of Northern Cyprus addressed to the Secretary-General

Upon instructions from my Government, I have the honour to refer to the letter dated 19 July 1998 addressed to you by the Greek Cypriot delegate at the United Nations, which contains false and misleading accusations against my country, the Turkish Republic of Northern Cyprus (A/52/989-S/1998/671).

At the outset, I wish to remind the Greek Cypriot delegate, who depicts the Turkish Republic of Northern Cyprus as a 'secessionist entity' or 'occupied part of the island', that the only occupation in Cyprus is the 35 year-old usurpation and continued occupation by the Greek Cypriot side of the seat of government of the bi-communal Republic of Cyprus established under international treaties in 1960. The Greek Cypriot side has no right to question the legality of the Turkish Republic of Northern Cyprus, which was established through the free and democratic will of the Turkish Cypriot people.

The Greek Cypriot delegate also cites the visit to the Turkish Republic of Northern Cyprus of His Excellency Mr. Mesut Yilmaz, Prime Minister of the Republic of Turkey, and other high-level officials, which took place at the invitation of the Turkish Republic of Northern Cyprus on the occasion of the 20 July celebrations marking the twenty-fourth anniversary of Peace and Freedom Day.

I wish to stress that the relations between Turkey and the Turkish Republic of Northern Cyprus are deeply rooted in a common history, culture and kinship and are based on mutual recognition. Turkey, as one of the guarantor powers of the 1960 partnership republic, has provided effective security guarantees for the Turkish Cypriots in the face of the long-standing hostile and aggressive actions of the Greek Cypriots. Prime Minister Yilmaz's visit to the Turkish Republic of Northern Cyprus with other high-level Turkish officials on the occasion of the 20 July celebrations, in the context of the special relations that exist between the two countries, is a clear sign of Turkey's continuing commitment to the security and well-being of the Turkish Cypriot people.

The clamour created by the Greek Cypriot side over the visit, therefore, is totally unwarranted and originates from its untenable claim to be the sole sovereign authority over the entire island and the desire to totally isolate the Turkish Cypriot people, which constitutes the real provocation and an obstacle to a settlement. It should be recalled that the Greek Cypriot administration in South Cyprus frequently hosts high-level delegations from Greece, the most recent occasions of which being, among others, the visit of Mr. Constantinos Stephanopoulos, the Greek President, from 25 to 28 June 1998, and that of Mr. Athanios Tzoganis, the Greek Army Chief of Staff, from 22 to 24 April 1998.

In connection with the unwarranted charges concerning the participation of vessels and aircraft from Turkey in the above-mentioned ceremonies, I would like to reiterate that flights by Turkish aircraft within the airspace and flight

information region of the Turkish Republic of Northern Cyprus is a matter that concerns the Turkish Republic of Northern Cyprus and Turkey as two sovereign independent States which recognize each other. Similarly, the navigation of ships in the territorial waters of the Turkish Republic of Norther Cyprus and the use of port facilities take place with the full knowledge and consent and, in this case, upon the invitation, of the appropriate authorities of the State. The Greek Cypriot administration has no jurisdiction, control or authority whatsoever over the national territory, airspace or flight information region of the Turkish Republic of Northern Cyprus.

It is regrettable that the Greek Cypriot side is relentlessly pursuing a campaign of harmful rhetoric, coupled with an intensive and dangerous militarization. Clearly, the Greek Cypriot side is not yet prepared to come to terms with the existing realities and the concept of a new partnership settlement based on the existence of two sovereign States on the island. We hope that the Greek Cypriot side will drop its current hostile posture, so that common sense and realism may prevail, thus opening a window of opportunity for a peaceful settlement.

I should be grateful if the text of the present letter could be circulated as a document of the General Assembly, under agenda item 61, and of the Security Council.

(Signed) Aytuğ PLÜMER
Representative
Turkish Republic of Northern Cyprus

United Nations A/52/1002

General Assembly

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4 August 1998

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Fifty-second session
Agenda item 36
Question of Palestine

Participation of Palestine in the work of the United Nations

Note by the Secretary-General

The General Assembly, pursuant to paragraph 1 of its resolution 52/250 of 7 July 1998, decided to confer upon Palestine, in its capacity as observer, and as contained in the annex to the present resolution, additional rights and privileges of participation in the sessions and work of the General Assembly and the international conferences convened under the auspices of the Assembly or other organs of the United Nations, as well as in United Nations conferences. In paragraph 2 of the same resolution, the Assembly requested the Secretary-General to inform the Assembly, within the current session, on the implementation of the modalities annexed to the present resolution.

Based on the Secretary-General's understanding of resolution 52/250 and the annex thereto, the additional rights and privileges of participation of Palestine, in its capacity as observer, would be effected through the following modalities, without prejudice to the existing rights and privileges in the sessions and work of the General Assembly and the international conferences convened under its auspices; in the other organs of the United Nations; as well as in United Nations conferences:

"1. The right to participate in the general debate of the General Assembly."

Since the list of speakers for the general debate of the fifty-third session of the General Assembly was prepared prior to the adoption of resolution 52/250, Palestine was inscribed on the last day of the general debate of the fifty-third session. Henceforth, the Permanent Observer Mission of Palestine will be invited to submit three preferences of date and meeting (morning or afternoon) from within the period of the general debate of a regular session of the General Assembly. If the General Assembly decides upon a different methodology of establishing the list of speakers for the general debate of a session, Palestine will have the right to participate in that methodology.

98-22766 (E) 060898

"2. **Without prejudice to the priority of Member States, Palestine shall have the right of inscription on the list of speakers under agenda items other than Palestinian and Middle East issues at any plenary meeting of the General Assembly, after the last Member State inscribed on the list of that meeting.**"

In the plenary meetings of the General Assembly, the established practice concerning the inscription of Palestine on the list of speakers under agenda item "Question of Palestine" will continue. Under agenda items on Palestinian and Middle East issues, Palestine will be inscribed on the list of speakers in the order in which it signifies its desire to speak. Under agenda items other than Palestinian and Middle East issues, Palestine will have the right to be inscribed on the list of speakers at any meeting of the plenary after the last Member State inscribed on the list of that meeting.

"3. **The right of reply.**"

The presiding officer will accord the right of reply to Palestine in the order in which it signifies its desire to make a reply.

"4. **The right to raise points of order related to the proceedings on Palestinian and Middle East issues, provided that the right to raise such a point of order shall not include the right to challenge the decision of the presiding officer.**"

On matters related to the proceedings on agenda items concerning Palestinian and Middle East issues, Palestine may rise to a point of order, with the exception of a point of order made in connection with the actual conduct of voting. A point of order will be immediately decided by the presiding officer in accordance with the rules of procedure of the General Assembly. Palestine may not appeal against the ruling of the presiding officer.

Palestine will not have the right to make procedural motions including the adjournment of debate, the closure of debate and the suspension or adjournment of the meeting.

"5. **The right to co-sponsor draft resolutions and decisions on Palestinian and Middle East issues. Such draft resolutions and decisions shall only be put to a vote upon request from a Member State.**"

Palestine will have the right to co-sponsor a draft resolution, draft decision or amendment under agenda items concerning Palestinian and Middle East issues but may not be the sole sponsor of such draft resolution, draft decision or amendment. Action will be taken on such draft resolution, draft decision or amendment upon request from a Member State.

"6. The right to make interventions, with a precursory explanation or the recall of relevant General Assembly resolutions being made only once by the President of the General Assembly at the start of each session of the Assembly."

At the beginning of each session of the General Assembly, during its consideration of the report of the General Committee, the President will indicate that Palestine's participation in that session will be in accordance with General Assembly resolution 52/250 of 7 July 1998, after which there will be no precursory explanation prior to any intervention by Palestine in the session.

"7. Seating for Palestine shall be arranged immediately after non-Member States and before the other observers; and with the allocation of six seats in the General Assembly Hall."

Palestine will be seated after non-member States and before intergovernmental organizations. In the General Assembly Hall, Palestine will occupy three seats as well as the three seats immediately behind.

To reflect the new arrangements, the next edition of the *Permanent Missions to the United Nations*, the "Blue Book", will list Palestine under a new category III, "Entities having received a standing invitation to participate in the sessions and work of the General Assembly and maintaining permanent observer missions at Headquarters", immediately after category II, "Non-member States maintaining permanent observer missions at Headquarters". Category III, "Entities ...", will be followed by categories IV, "Intergovernmental organizations ...", V, "Other entities ...", and VI, "Specialized agencies and related organizations ...".

"8. Palestine shall not have the right to vote or to put forward candidates."

Palestine will not have the right to vote, including in elections. Palestine may neither submit its own candidacy for any election or appointment nor submit the names of candidates for any election or appointment.

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Fifty-second session
Agenda item 43
THE SITUATION IN AFGHANISTAN AND ITS
IMPLICATIONS FOR INTERNATIONAL
PEACE AND SECURITY

SECURITY COUNCIL
Fifty-third year

Identical letters dated 5 August 1998 from the Permanent Representative of Afghanistan to the United Nations addressed to the Secretary-General and to the President of the Security Council

In reference to the statement by the President of the Security Council of 14 July 1998 (S/PRST/1998/22), I have the honour to forward herewith a note dated 5 August 1998 addressed to the Secretariat of the United Nations by the Ministry of Foreign Affairs of the Islamic State of Afghanistan.

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the Security Council and of the General Assembly.

(Signed) Dr. A. G. Ravan FARHĀDI
Ambassador
Permanent Representative

98-22889 (E) 070898

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Annex

Letter dated 5 August 1998 from the Ministry of Foreign Affairs of Afghanistan addressed to the Secretariat of the United Nations

The Ministry of Foreign Affairs of the Islamic State of Afghanistan presents its compliments to the Secretariat of the United Nations and has the honour to communicate the following.

The Taliban's latest assaults in north-western Afghanistan, carried out by the Pakistani military intelligence service and its paramilitary personnel, once again reveal the true nature of Pakistan's wicked intentions for regional hegemony. In this regard, the statement by the President of the Security Council (S/PRST/1998/22) issued on 14 July 1998, two days after the invasion of Maymana, the capital of north-western Faryab Province, by the Taliban, has been totally disregarded by the aggressors.

After the Pakistani nuclear explosions in May, only 20 kilometres from the southern Afghan province of Helmand, it became clear that Pakistan was and still is pursuing military adventures throughout the region. The instigation of instability created by the nuclear explosions brings to light a Pakistani aim to expand its politico-military influence in the region.

According to reliable intelligence reports by the Islamic State of Afghanistan, the Pakistani military institution and its military intelligence service have, for some time, been engaged in renewed efforts to recruit and train new personnel to be subsequently dispatched into Afghanistan. For the past few months, the heavy shipments of military supplies and logistics to the Taliban have also been apparent. Purchase of new heavy armament consignments from Ukrainian arms dealers airlifted through Sharja airport in the United Arab Emirates, alleged to have been shipped to Taliban headquarters in southern Afghanistan, has been confirmed by the media. As such, the number of Pakistani paramilitary personnel in Afghanistan has steadily increased.

In fact, observers have been convinced that the forcible relocation of all non-governmental organizations in Kabul, which caused many of these agencies to stall their operations in Afghanistan, was a result of the fact that some staff members had, on numerous occasions, seen foreign non-civilian citizens. This has also affected the status of foreign journalists, encouraged not to visit Taliban-held territories.

The planned objective behind the Pakistani actions has been its desire to install in Kabul, broadening its authority throughout Afghanistan, a subservient protectorate state, in the fancy of realizing the "strategic depth" for which it has prayed for so long. Pakistan, being placed under time pressure, is growing weary of the situation on its eastern border and finds its immediate task to be the subjugation of Afghanistan. In fact, the Pakistani Minister for Foreign Affairs, Mr. Gohar Ayub Khan, confessed, in the Egyptian daily Al-Ahram, the Pakistani desire for attaining "strategic depth" in Afghanistan (see S/1998/630 of 10 July 1998).

The Islamic State of Afghanistan strongly believes in a peaceful solution to the Afghan problem. Its participation in the Islamabad preparatory meeting in April, laying the ground for the Ulema (religious scholars) Commission, supervised by the United Nations Special Mission to Afghanistan, abruptly and unilaterally abandoned by the Taliban under the direct order of the Pakistani military intelligence service, is a manifestation of that fact. Despite numerous international appeals for the resumption of the talks, the Taliban showed no desire to continue face-to-face talks.

The Taliban intransigence, owing to their conviction in a military solution, is indicative of the Pakistani military determination to dominate Afghanistan. As such, any and all efforts culminating in a peaceful Afghan solution have been intentionally thwarted. It was not to anyone's surprise that the Taliban did not only reject attending the Intra-Afghan grand meeting of 18 July 1998 in Bonn, Germany, striving to initiate what it hopes to be the traditional Grand Assembly, Loya Jirga, but, in fact, one week earlier, condemned the gathering. Subsequently, it launched major operations in north-western Afghanistan.

In the Taliban latest attacks and military rule in certain parts of north-western Afghanistan, large numbers of the civilian population - selected based on their ethnic background - have been forced out of their homes, airlifted and relocated in Kabul and Kandahar as hostages. Such heinous crimes against humanity presents a twofold reality: the Taliban do not and cannot trust the people; and the people in turn, are suspicious of the Taliban. Even in southern Afghanistan, where most of the population belongs to the Taliban's ethnic group, there is a great deal of resistance against their clique-imposed forced military conscription.

By using ethnic differences in Afghanistan, the Pakistani military intelligence service has made sure that one ethnic segment within the Afghan society can be used against another in a different part of the country, a phenomenon introduced in Afghanistan after the emergence of the Taliban.

Pakistan's intense diplomatic activities have been centred on covering its military operations in Afghanistan along with the Taliban. Unfortunately, numerous international circles, including the United Nations, have exhibited an unprecedented optimism about the Taliban's claim of a change of positions on numerous issues.

It has been hoped that accommodating the Taliban through appeasement would encourage them to resume peace talks and continue negotiations. Thus far, it has produced quite the opposite. Dismayingly, United Nations documents continue unjustly to equate all 'sides' to the conflict, without drawing a distinction between aggressive elements versus those that just defend themselves, in the face of Pakistani expansionist designs, for the benefit of their national sovereignty and territorial integrity.

The Pakistani military intelligence service has used this appeasement policy as an opportunity to further its hegemonic ambitions. The Islamic State of Afghanistan regrets the lack of attention given to the depth of the disaster originating from the blatant interference and intervention by the Pakistani

military intelligence service in the internal affairs of Afghanistan. As a result of the international community's shallow posture, without due regard for who engages in acts of aggression and who engages in acts of defence, "both sides to the conflict" have been equally addressed. This puts equal blame on both sides, which is not fair at all. In essence, such an equation emboldens the aggressor.

While its military units are stationed at the gates of Kabul and can easily proceed into the city, the Islamic State of Afghanistan prefers a peaceful solution to the conflict. The Islamic State of Afghanistan is of the conviction that the attainment of a peaceful negotiated settlement will not jeopardize lives of innocent Afghans and will bring about future integration of all ethnic groups and the rule of law.

The Ministry of Foreign Affairs of the Islamic State of Afghanistan, while expressing its deep regret in the face of renewed vast assaults by the Taliban, furthering the sufferings of the Afghan people and delaying an early return of peace to the country, still believes in a peaceful negotiated settlement of the Afghan problem.

The Ministry of Foreign Affairs of the Islamic State of Afghanistan appeals to the United Nations and regional as well as other interested countries in the Afghan peace process to exert effective pressure on Pakistan to halt its aggressive adventurous policy towards Afghanistan. Pakistan must be inclined to join other neighbouring countries in their sincere and concerted endeavours to achieve a lasting and durable peace in Afghanistan.

Peace cannot be guaranteed in Afghanistan, even in the event that the Taliban mercenary group invades a greater part of our country. While resistance against the Taliban will continue unabated, only the peace process will suffer.

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QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-third year

Letter dated 4 August 1998 from the Chargé d'affaires a.i. of the Permanent Mission of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government, and further to our letter dated 27 July 1998 (A/52/996-S/1998/696), I have the honour to draw your attention to new violations of the national airspace of the Republic of Cyprus and of the flight information region of Nicosia by military aircraft of the Turkish Air Force, recorded today, 4 August 1998.

Two Turkish military aircraft RF-4 entered the northern Nicosia flight information region in violation of international air traffic regulations and of the national airspace of the Republic of Cyprus flying over the area of Kormakiti and the cape of Apostle Andreas, returning then to the Ankara flight information region.

As stated in our previous letters, such unauthorized intrusions into the Nicosia flight information region and the national airspace of the Republic of Cyprus are in violation of international air traffic rules and, at the same time, they are in contravention with the provisions of the Security Council resolutions on Cyprus, which state that such overflights increase political tension on the island and undermine efforts towards achieving a final settlement.

On behalf of the Government of the Republic of Cyprus, I wish to protest strongly against these new provocative acts by Turkey, a Member State of the United Nations, against the sovereignty and territorial integrity of the Republic of Cyprus. These acts are in complete disregard of international law, the Charter of the United Nations and the relevant decisions of the Organization on the question of Cyprus.

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I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 61, and of the Security Council.

(Signed) James DROUSHIOTIS
Chargé d'affaires a.i.

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STRENGTHENING OF THE COORDINATION OF HUMANITARIAN AND DISASTER RELIEF ASSISTANCE OF THE UNITED NATIONS, INCLUDING SPECIAL ECONOMIC ASSISTANCE
REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED PERSONS AND HUMANITARIAN QUESTIONS
HUMAN RIGHTS QUESTIONS

SECURITY COUNCIL
Fifty-third year

Identical letters dated 6 August 1998 from the Permanent Representative of Eritrea to the United Nations addressed to the President of the General Assembly and the President of the Security Council

On instructions from my Government, I have the honour to transmit to you a statement delivered by the delegation of the State of Eritrea on 5 August 1998 before the fiftieth session of the Commission on Human Rights, Subcommission on Prevention of Discrimination and Protection of Minorities, currently meeting in Geneva.

The statement details the gross violations of the human rights of Eritrean civilians resident in Ethiopia by the Ethiopian Government.

I should be grateful if you would kindly circulate the text of the present letter and its annex as a document of the fifty-second session of the General Assembly, under agenda items 20, 107 and 112, and of the Security Council.

(Signed) Haile MENKERIOS
Ambassador
Permanent Representative

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98-23057 (E) 130898

ANNEX

Statement delivered by the delegation of the State of Eritrea on 5 August 1998 to the Commission on Human Rights, Subcommission on Prevention of Discrimination and Protection of Minorities, concerning human rights violations against Eritreans in Ethiopia

1. The Eritrean delegation would like to take this opportunity to present before you the facts of a great abuse of human rights in Ethiopia. It is with great sadness that I am obliged to present the evidence for what is without doubt a crime against humanity. For the last eight weeks, and continuing even as I speak before you today, the Government of Ethiopia has been engaged in a systematic policy of expelling Eritreans and Ethiopians of Eritrean origin, solely and purely on the basis of their national origin. Up to now, more than 13,000 Eritreans and Ethiopian citizens of Eritrean origin, who have committed no crime, have been arbitrarily arrested, detained, made to disappear and summarily deported, often with great cruelty.

2. We bring you messages of anguish and pain from the victims of this outrage. It is a message from a recently widowed 23-year-old mother who had just lost her sister and was taking care of her invalid mother but was taken away from her seven-month-old baby screaming and begging. It is a message from a 64-year-old, illiterate cleaning woman, an Ethiopian who although of Eritrean ancestry had neither acquired an Eritrean identity card nor voted in the Eritrean referendum for independence. Nor was she a member of the governing party of Eritrea, nor indeed any Eritrean association. Nor, for that matter, could she speak any of Eritrea's languages fluently. It is the message from a 56-year-old man who was dumped in the desert on the Eritrean-Ethiopian border, separated from his daughter, who died after walking more than 4 kilometres to the Eritrean side of the border in 44°C heat. It is a story of a businessman who spent his lifetime investing in Ethiopia, building up that country, most recently constructing the water and sewage system for Addis Ababa, who was arrested at dawn and dispossessed of his business, worth some tens of millions of dollars. It is the shameful story of a 15-year-old girl who was taken away from her family simply because last year she went to Eritrea on vacation to participate in a tree-planting programme. It is the story of the thousands who were expelled with them, and the thousands who remain, fearful that security officers will break down their doors at 5 a.m. and drag them away from their homes and their families with nothing but the clothes that they are wearing.

3. On 23 May, at the closing session of an International Conference to establish the Human Rights Commission in Ethiopia, Prime Minister Meles Zenawi spoke of his Government's commitment to the rule of law and respect for human rights. Seven weeks later, Prime Minister Meles gave a television interview in which he claimed the right of his Government to expel any foreigners it chose. He said: "Any foreigner, whether Eritrean, Japanese, etc., lives in Ethiopia because of the goodwill of the Ethiopian Government. If the Ethiopian Government says, 'Go, because we do not like the colour of your eyes', they have to leave." He went on to compare the expulsions of Eritreans with the

deportation of illegal immigrants from Mexico by the Government of the United States of America.

4. This justification is simply absurd and an affront to the intelligence of the international community. Many of those expelled are Ethiopian citizens of Eritrean origin. All were legally resident in the country. By Prime Minister Meles' own admission, "We cannot expel a citizen of Ethiopia from Ethiopia." Yet that is precisely what his Government is doing. A survey of more than 3,000 deportees from urban areas indicates that 264 had been born in Ethiopia, more than half had lived there for more than 20 years and 421 had lived there for more than 40 years. Some had not even visited Eritrea. Many have married Ethiopians. Among them are more than 600 businessmen and women, including owners of hotels, construction businesses, garages, transportation companies and shops. Many were government employees. There are lawyers, doctors, teachers, photographers, professional cartographers and even priests and nuns. One case we have is that of a former soldier who lost one arm and one leg fighting for Ethiopia against Somalia in the 1977 war. "What more can I give to Ethiopia than an arm and a leg?" he asks.

5. And of course we must not forget more than 8,000 poor farmers and pastoralists, who have been deprived of their meagre livelihoods, and whose cases are just as tragic. Many of these people have lived in Ethiopia for generations, where they own farms and herds of cattle. Overnight these people have been deprived of their livelihoods. Some of them were beaten up and locked in metal cargo containers before being transported to Eritrea.

6. Among those arrested for deportation are citizens of third countries, such as Italy and Canada, who are of Eritrean origin. Through the intervention of their embassies, a few of them have been saved from deportation. Some Eritreans holding foreign passports have had their passports stamped with the words "deported never to return".

7. The citizens who have been deported report that the Ethiopian security forces accused them of membership of the Eritrean Community Association or the People's Front for Democracy and Justice (PFDJ); of voting in the Eritrean referendum; or of contributing to fund-raising campaigns. In many cases this may be true. But these associations are completely legal in Ethiopia. Fund-raising for Eritrea and participating in development campaigns in Eritrea were completely legal. We find it puzzling that the Ethiopian Government should choose to describe the PFDJ as "a clandestine organization" for, like the other associations, the Ethiopian Government had permitted its activities and even provided premises for them. There was moreover a reciprocal arrangement with Ethiopia that allowed for Ethiopians in Eritrea and TPLF organizations in Eritrea to undertake similar activities with similar provisions. There can be no grounds for retroactively declaring these activities illegal or citing them as grounds for deportation.

8. The discriminatory acts were undertaken without any due process of law and without any right of appeal.

9. There is no basis in the Ethiopian Constitution or penal code, nor in international human rights law for this systematic mass expulsion of these

people. It is quite simply an illegal and arbitrary act of ethnic cleansing which has no justification in law whatsoever.

10. Although the Government of Ethiopia has made no official statement and passed no law to this effect, it is clear that its aim also includes depriving deportees of Eritrean origin of their Ethiopian citizenship. Please, stop and ponder for a moment the implications of this act: a State has withdrawn citizenship from thousands of law-abiding citizens simply because of their ethnic or national origin. People have been rendered stateless without due process of law. Surely, this is a precedent that this Commission cannot allow to stand.

11. Ethiopia claims that the Eritreans in Ethiopia are spies, infiltrators and saboteurs who threaten the security of the State. Ethiopia has indeed declared war on Eritrea and I am sure that the Ethiopian Government will argue that it can derogate from the human rights provisions in the Constitution and penal code in the name of national security. If that is the case, then Eritreans in Ethiopia should be considered "protected persons" under article 4 of the Fourth Geneva Convention.

12. Let us have no doubt as to what the Geneva Conventions permit and what they prohibit. Article 5 of the Fourth Geneva Convention makes it crystal clear that any action against protected persons must be carried out on an individual, case-by-case basis. Article 41 says that the Government may take no action more severe than assigned residence or internment. Article 49 begins:

> "Individual or mass forcible transfers, as well as deportations of protected persons ... are prohibited, regardless of their motive."

Article 147 lists "unlawful deportation or transfer or unlawful confinement" of protected persons among grave breaches of the Geneva Conventions, i.e., actions for which international law dictates there is individual criminal responsibility. In addition, article 18 of the 1996 draft Code of Crimes Against the Peace and Security of Mankind lists five "crimes against humanity": among them "forcible transfer of population".

13. Let us recall that when the Geneva Conventions were written in 1949, Europe had just emerged from war and genocide of unparalleled scale. The memories of concentration camps, forced deportations of populations and the Holocaust were fresh in the minds of the men and women who established the foundations of international humanitarian law. Similarly, the memories of the Red Terror and the war crimes of successive Ethiopian regimes were fresh in the minds of the Ethiopian Government when they set up the office of the Special Prosecutor to bring officials of the former regime to trial. Just a few months ago, the memory of the genocide in Rwanda moved Prime Minister Meles Zenawi to propose to the Organization of African Unity (OAU) a Panel of Eminent Personalities to investigate that crime. We supported both those initiatives. The people of Africa, including Eritreans and Ethiopians, have suffered too much already. We never thought that this Ethiopian Government, which came to power after years of struggle against tyranny, with the promise of peace and respect for human rights, would itself perpetuate a crime against humanity. Yet the evidence I am

presenting to you today compels us to conclude that the Government of Ethiopia is doing precisely that.

14. This gross crime against humanity is also an aggregation of many smaller, cruel crimes against individuals. The deportees describe how they were seized from their homes or places of work. Sometimes they were woken up in the middle of the night. Often they were told that they were just wanted for a quick registration, and would return home shortly. One mother locked the door of her house, leaving her small son sleeping inside, because the security officers said she would be back in a few minutes. Others have begged the policemen to be allowed to take their children, but have been herded onto buses without even having a chance to say goodbye. They have been insulted in police stations and sent on long and arduous bus journeys with virtually no food and water. Those deported to Assab had to walk for 4 kilometres in the scorching desert heat. Contrary to the claims of the Ethiopian Government, the deportees report no presence of the International Committee of the Red Cross (ICRC) during their journeys.

15. A report from a joint mission to Assab by the United Nations agencies confirms these facts. It also describes one particularly sad case, that of a 56-year-old former teacher:

> "The deplorable and dehumanizing conditions caused the death of one man whose daughter was snatched away by Ethiopian authorities when the deportees were dropped off between the border posts of the two countries. He cried to no avail and went into a serious depression and never recovered. His colleagues put him to rest in Assab."

16. The forcible separation of parents from their children is one of the most distressing aspects to the deportations. In some cases, even breastfeeding mothers have been wrenched away from their babies. A study by UNICEF Eritrea found that 165 deportees contacted had been forced to leave a total of 291 children behind, including 9 under one year and 37 aged between one and five. Most were left with relatives and a few with neighbours, but 43 had simply been left on their own. In many other cases men have been separated from their wives.

17. Some of the deportees were told to sign powers of attorney to relatives. Usually this just amounted to writing a name on a piece of paper and handing it to a policeman; it has no legal force. Many of those relatives have subsequently been arrested and deported. Others have been told to sell the property immediately. In some cases, children have been ordered to sell off complex businesses worth hundreds of thousands or even millions of dollars. The security officers who have carried out these operations have simply sealed businesses without even taking an inventory, let alone producing any legal documents. Houses, cars and trucks, shops, hotels and restaurants, factories and farms, have in essence simply been confiscated. Farms have been left newly ploughed. Cattle have been abandoned wandering in the wilderness. A survey of 1,400 deportees estimated that this group alone had left behind wealth estimated at US$ 212 million.

18. We are thankful that many compassionate and law-abiding Ethiopian citizens, of all ethnicities, have performed small acts of kindness for the deportees on their long journeys, and to their family members left behind. Many Ethiopians are caring for distressed children whose parents have been snatched away; perhaps they came home from school to find their houses sealed and their parents gone, and only a sympathetic neighbour to take care of them.

19. Such humanity appears to be contrary to the intent of the Government of Ethiopia. Since May, it has engaged in a propaganda campaign of quite extraordinary venom directed against Eritrea and Eritreans. Every day, Ethiopians who listen to the radio or watch television or read the newspapers or attend public meetings where government officials are speaking will hear invective aimed at Eritreans. Eritreans are accused of being fascists and chauvinists, of being belligerent and spiteful, neo-colonialist, anti-people, etc.

20. The Ethiopian Government has broadcast many fabricated claims of Eritrean abuses. For example, the claim that seven Ethiopians were burned to death in Alla was clearly refuted by the BBC correspondent who visited the site and investigated for himself. Allegations such as "group rapes by Eritrean fighters", "the wanton shooting of Ethiopians who wanted to leave in Adi Quala" and "Sixty Ethiopians died of asphyxiation in Assab after being locked in a container" are quite untrue and are clearly designed to incite anti-Eritrean feeling among the Ethiopian populace. Perhaps the most extreme allegation from the Ethiopian Foreign Ministry is the claim that "the Eritrean authorities have been detaining thousands of Ethiopians in the Sawa, Asmara and Assab concentration camps without access to their families, the ICRC and journalists." This is pure fiction not even worthy of a rebuttal before this distinguished audience. I could go on and on, just as the Ethiopian media goes on and on, hammering in its message day after day. It is a sad reality that the most outrageous propaganda, repeated often enough, will break down the resistance of even the most sceptical and humane citizen. Violence of the tongue precedes violence of the gun.

21. The international community is free to come to Eritrea and investigate these allegations for themselves. We have already extended an invitation to the Commission on Human Rights which, I am happy to report, has been accepted. Do not judge Eritrea by my words alone; the facts are there for the world to see.

22. Needless to say, Ethiopia's hate campaign not only is in violation of the provisions of the Charter of the United Nations and the Universal Declaration of Human Rights, but is also irresponsible since it does not take into consideration the future relations between our two peoples.

23. This is a campaign of hatred that has no precedent in Ethiopian history, even during the darkest days of the previous regime. In all civilized countries, inciting hatred on the basis of race, religion, nationality or ethnicity is a crime. When a Government itself incites national hatred, we can only fear for the worst.

24. The Government of Ethiopia has also rounded up more than 1,000 Eritreans and interned them in camps. The majority of these are civilians who were

previously fighters with EPLF or who formerly received military training in the Eritrean national service. Although they are civilians, the Ethiopian Government has described them as "prisoners of war". There are also 85 university students, whose studies at Addis Ababa University were abruptly terminated by their collective arrest and detention. Ethiopia has no legal basis for detaining these students. The correct course of action would have been to allow them to return to Eritrea. At first, these people were detained in Fiche camp and then they were moved to Blatien, a location in the south of Ethiopia without the knowledge of ICRC. The Geneva Conventions (Fourth Convention, articles 79 to 141) deal in great detail with conditions under which civilians may be interned and how camps should be administered. We fear that those provisions have been violated. First, most of the internees have been detained illegally in violation of human rights and humanitarian law. Secondly, we have reason to fear that the conditions in the camps do not fulfil the legal obligations on the Ethiopian Government, so that it may be justified to call these camps "concentration camps" rather than just "internment camps".

25. The international community and the United Nations are free to come to Eritrea to investigate the record of the Eritrean Government for themselves. We are committed to transparency and pursue an open-door policy. Unlike Ethiopia, Eritrea is actively cooperating on these matters with ICRC and the United Nations agencies in Eritrea as well as the diplomatic community.

26. The Government of Eritrea has not taken any illegal or abusive actions against Ethiopians residing in Eritrea. The Ethiopian chargé d'affaires in Asmara told the visiting delegation from OAU on 30 June that Eritrea held 57 Ethiopians in detention on suspicion of being a threat to the security of the State. He admitted that this was probably an exaggeration as they were being released as their cases were examined. Shortly beforehand, the Ethiopian Foreign Minister had accused Eritrea of imprisoning 600 Ethiopians and, as I have mentioned, the Foreign Ministry has also alleged that untold thousands are held in "concentration camps". Today, the reality is that we are holding just 17 Ethiopians on grounds of national security, having individually investigated them. ICRC has full access to them all.

27. Ethiopians who wish to stay in Eritrea are free to stay, and we are endeavouring to facilitate the departure of those who wish to leave through the offices of ICRC. Eighty Ethiopian teachers in Assab left freely for Djibouti with the assistance of the local administration, but on their arrival there the Ethiopian Government claimed they had been expelled. Forty-five Ethiopian students studying at the University of Asmara were permitted to remain, finish their studies and sit for their exams, and then return peacefully to Ethiopia. However, the Ethiopian Government has claimed that "the Eritrean forces have brutally expelled well over 5,000 Ethiopian citizens from Eritrea after depriving them of their property and subjecting many of them to beatings and torture". This is completely without any foundation in fact.

28. On 13 May, the Ethiopian Government decided unilaterally to reroute all its shipping away from the Eritrean port of Assab to Djibouti, and to close the border between Eritrea and Ethiopia. This action by the Government of Ethiopia had the entirely predictable result that Ethiopian port workers in Assab had no work to do and Ethiopian cargo in the port was stranded. The charge by the

Ethiopian Government that Eritrea has denied the right to work to Ethiopians in Assab and has confiscated Ethiopian cargo is therefore without foundation. United Nations agencies have confirmed that salaries are still being paid to Ethiopian employees in Assab, but that daily labourers are now without an income and need relief assistance.

29. On 26 June, the Eritrean National Assembly resolved:

> "In contrast to the inhuman policy of the Ethiopian Government, the Eritrean Government has not, and will not, take any hostile action against Ethiopians residing in the country. Their right to live and work in peace is guaranteed. If this right is infringed upon under any circumstances or by any institution they have full rights of redress."

I need hardly draw the contrast between this public appeal for lawfulness and the campaign of national hate seen daily in the Ethiopian media. But, I reiterate, we stand judged by our actions and not our words. Please come and see for yourself.

30. The Government of Eritrea was distressed by the deaths of civilians, including some children, in an air attack on Mekelle airbase on 5 June. The air raid was carried out at 3 p.m. in response to an air attack on Asmara airport launched from Mekelle airbase at 2.10 p.m. earlier that day, in which 34 Eritrean civilians were either killed or wounded. The Ethiopian claim that their air raid was in "retaliation" was false, as confirmed by diplomats and journalists. Their claim that the deaths of civilians was the result of a "premeditated attack" is also quite untrue. Our air force is small and newly formed, and we never expected to have to use it against our former friends and allies in Ethiopia. But when we were attacked by the Ethiopian air force, we responded by striking against the Ethiopian air force base which had been established at Mekelle airport. I repeat, we did not target civilians intentionally although unfortunately some were caught in the cross-fire. Otherwise, the result at Mekelle airport, with several aircraft destroyed on the ground, attests to the purely military nature of the mission of the Eritrean air force.

31. All States Members of the United Nations have undertaken definite legal obligations towards persons living in their territories by the simple act of signing the Charter of the United Nations. Among these obligations are the promotion and protection of human rights and fundamental freedoms, as stated in the Charter of the United Nations, and elaborated by the Universal Declaration of Human Rights, the African Charter on Human and Peoples' Rights and other relevant human rights instruments. No State can claim derogation from the essential obligations entailed therein on grounds of a state of emergency. In this respect, it would be necessary to note that this Commission on 3 March 1995 adopted the Declaration of Minimum Humanitarian Standards, which specifically identifies the acts prohibited under article 3, paragraph 2. Moreover, having declared war on Eritrea, Ethiopia is also bound by the Geneva Conventions which specifically prohibit the forcible deportation of populations and even brand it as a "grave breach".

32. It is therefore the duty of the international community to act decisively when crimes are committed on such an alarming scale and in as distinctively an odious manner as in Ethiopia today. At the very least, it should express its disapprobation of the act and its sympathy with the victims. In this regard, we greatly appreciate the objective and timely statement by Mary Robinson, the United Nations High Commissioner for Human Rights, expressing her profound concern at the violations of the Ethiopian Government.

33. The crime committed by the Government of Ethiopia against Ethiopian citizens of Eritrean origin and Eritrean residents in Ethiopia outrages the conscience of mankind and endangers the foundations of freedom and justice as well as peace, stability and security in the region. It is for this reason that the Eritrean delegation requests this Commission to pass a resolution which would:

(1) Deplore the Ethiopian Government's gross violation of the human rights of Eritreans and Ethiopians of Eritrean descent residing in Ethiopia;

(2) Call for the immediate cessation of all mass detention and expulsion of Eritreans; demand the immediate release of all Eritreans and Ethiopians of Eritrean origin who have been unlawfully detained in prisons and internment camps; and call for the protection of the lives, rights and properties of Eritrean and Ethiopian-Eritrean deportees and those still residing in Ethiopia, including their right to leave the country if they so desire;

(3) Call for the immediate end of propaganda aimed at inciting racial hatred against Eritreans and instead call for the Ethiopian Government to make public statements calling for calmness and respect for Eritreans resident in Ethiopia and Ethiopian citizens of Eritrean origin;

(4) Call for the reunification of separated Eritrean families, including arrangement of early and safe transport;

(5) Call for the immediate return of confiscated property to Eritrean and Ethiopian-Eritrean deportees and the payment of compensation for any loss of property or income;

(6) Appoint, as a matter of urgency, a fact-finding mission which would conduct an on-site investigation of the human rights conditions of Eritreans in Ethiopia, to supplement the mission already agreed for Eritrea;

(7) Call upon the Government of Ethiopia to cooperate fully with the fact-finding mission by permitting it full and free access to establish contact with Eritreans in its territory;

(8) In recognition that war is the greatest cause of human rights violations, call for the immediate cessation of hostilities and for the peaceful resolution of the border conflict.

34. I wish I could give a rational explanation for the actions of the Ethiopian Government over the last three months. Just 90 days ago, the mass expulsion of Eritreans and Ethiopians of Eritrean origin was literally unthinkable. We pray that there is no more madness to come from those responsible for the protection of Ethiopian citizens and residents of whatever origin.

35. Eritrea has nothing to seek except the promotion of the lasting interests of the peoples of the two countries and the development of personal and cultural, socio-economic and political relations between them which will foster the profit and advantage of both and which shall not interfere with the peace and rights of either.

36. The Eritrean delegation thus solemnly pledges that the Government of Eritrea shall continue to scrupulously observe the human rights of Ethiopians living in Eritrea, fully cooperate with this Commission or any other international organization which wishes to conduct unrestricted investigation of the conditions of Ethiopians residing in Eritrea and shall remain committed to the truth, verifiable by impartial observers, and totally dedicated to the well-being and mutually beneficial future of the peoples of both countries.

37. It also reaffirms its opposition to any threats or use of force and any measures of political and economic coercion which attempt to violate the sovereignty, independence, territorial integrity and security of any State.

38. In the interest of peace and security and the welfare of their populations, the delegation of the State of Eritrea invites the delegation of the Federal Democratic Republic of Ethiopia to join it in this earnest commitment to human rights and its commitment to, and search for, peace by solemnly making a similar pledge before this Commission.

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THE SITUATION IN AFGHANISTAN
AND ITS IMPLICATIONS FOR
INTERNATIONAL PEACE AND
SECURITY

SECURITY COUNCIL
Fifty-third year

Identical letters dated 6 August 1998 from the Permanent Representative of Afghanistan to the United Nations addressed to the Secretary-General and to the President of the Security Council

I have the honour to forward herewith a letter dated 5 August 1998 addressed to you from the Ministry of Foreign Affairs of the Islamic State of Afghanistan.

I should be grateful if you would have the text of the present letter and its annexes circulated as a document of the Security Council and of the General Assembly.

(Signed) Dr. A. G. Ravan FARHÂDI
Ambassador
Permanent Representative

98-23168 (E) 070898

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Annex I

Letter dated 5 August 1998 from the Ministry of Foreign Affairs of Afghanistan addressed to the Secretary-General and to the President of the Security Council

The Ministry of Foreign Affairs of the Islamic State of Afghanistan presents its compliments to the Secretary-General of the United Nations and has the honour to communicate the following:

The Taliban mercenary group, aided and abetted by Pakistan military intelligence personnel, continue to commit crimes against humanity and crimes of war in the occupied parts of Afghanistan. Based on their retrograde and primitive ideology, justifying themselves by their bigotry and intolerance, ethnic supremacy and chauvinism, the Taliban mercenaries continue to perpetrate heinous crime against civilian population of Afghanistan. The Ministry of Foreign Affairs of the Islamic State of Afghanistan would like to draw your attention to the following acts committed by the Taliban, with the direct involvement of Interservices Intelligence (ISI) and military personnel of Pakistan, in north-western Afghanistan.

1. Forced deportation.

About four thousand families from the recently invaded city of Maymana, about two thousand families from the Almar and Qaisar districts of Faryab province and about two thousand families from Sheberghan have been deported to western part of Afghanistan.

Two thousand young civilians of Faryab province have been deported to Kandahar, south of the headquarters of the Taliban in Afghanistan.

2. Forced conscription.

The Taliban mercenaries compel the youth of Faryab province to take part in the war against their own people. Already they have imposed forced conscription in the regions under their occupation since 1996.

3. Pillaging and looting of property.

The Taliban mercenaries started extensive appropriation of property belonging to the Uzbek and Tajik residents of newly occupied territories. They are confiscating and transporting their private property to the western part of Afghanistan by military trucks.

4. Attacks on the civilian population.

During their military operations, the Taliban mercenary group intentionally directed attacks against the civilian population and civilian property, as well as individuals not taking direct part in the hostilities.

5. Depriving the civilian population of a means of survival.

The Taliban mercenary group is deliberately trying to inflict on the other ethnic groups in Afghanistan conditions of life calculated to bring about the extermination in whole or in part of these ethnic groups. The continuing Taliban food blockade of the Hazara ethnic group civilian population of central Afghanistan during long months has provided clear evidence of this evil intention.

In addition to this, after the recent occupation of Faryab and Sheberghan, the Taliban have appropriated the carpet weaving tools of the Uzbeks and their herds and transferred it to Kandahar.

The above-mentioned crimes are committed intentionally with the goal of forcing the inhabitants of these provinces to leave their homelands. Since the occupiers are strangers, they are unable to gain the confidence of the population.

The Ministry of Foreign Affairs of the Islamic State of Afghanistan earnestly expects the United Nations to send a fact-finding mission to verify the situation in the north-western part of Afghanistan recently attacked by the Taliban.

We are firmly convinced that the responsibility of the Pakistani Government is fully established in accordance with the General Assembly's definition of aggression of December 1974, which, inter alia, considered as aggression the sending by or on behalf of a State of armed bands, groups, irregulars or mercenaries to carry out acts of armed force against another State. Furthermore, owing to the existence of military personnel of Pakistan in the military operations of the Taliban and the expressed declaration of Gohar Ayub Khan, the Minister for Foreign Affairs of Pakistan, about the planned occupation of Afghanistan by the mercenaries (see annex II), the responsibility of Pakistan as an aggressor and accomplice in crimes committed in Afghanistan is well established.

Annex II

Pakistan's plan for Afghanistan

The following is a translation of the press interview with the Pakistani Minister for Foreign Affairs, Mr. Gohar Ayub Khan, conducted by the Arabic daily, Sharq-alq-Aousat, on 5 August 1998, in London.

Q. Is it right that Pakistan has great sympathy for the Taliban in Afghanistan?

A. Yes, that is right.

Q. Why did the Taliban attack northern Afghanistan?

A. Because the Taliban are approaching Mazaar-e-Sharif and it is anticipated that, within the next few days, the city will surrender to the Taliban. The Taliban are gaining increasing victories and they have the support of the civilian population. The Taliban have besieged the city from two sides, from the direction of Sheberghan and Balkh and from the direction of Kunduz.

The Taliban will launch an offensive from Kunduz proceeding towards Hairatan, located on the border with Uzbekistan, and moving on to Pul-I-Khumry, blocking the Saalang Pass and ceasing all contacts with Ahmad Shah Massoud. As such, I predict that in the coming days either Mazaar-e-Sharif will surrender to the Taliban or that intense fighting will take place ... And I hope that no battles will occur.

Q. It seems you are quite aware of the Taliban plan to capture Mazaar-e-Sharif?

A. (Smile, without a word).

Q. Have you given up on the dialogue between the Afghan warring factions?

A. We made active efforts to establish a dialogue between them, but now we must observe the situation on the ground. Only afterwards can we suggest a plan for negotiations. Some Afghan leaders will vanish within days. Or it is possible they will flee Afghanistan, and new realities will come into play. The situation is volatile. One must wait and see what will happen.